

REMARKS

Claims 6 – 10, 12, 13, 16, 17 and 23 – 27 are pending.

New claims 23 – 27 are supported at page 48, lines 22 – 28, and throughout the specification.

Claims 9, 10, 12, 13, 16 and 17 have been objected to as being dependent from rejected claims. Applicants respectfully point out that claims 9, 12, 16 and 17 were rewritten in independent form in the prior response and no longer depend from claim 8. Thus, it is believed that claims 9, 10, 12, 13, 16 and 17 are in condition for allowance.

No new matter is added by this amendment.


Claims 6-8 have been rejected under 35 USC 102(b) as being anticipated by Eisenberg et al, WO 01/35317.

Eisenberg describes isolated proteins/polypeptides which can be in an aqueous solution. These sequences are described as potential drug targets. There is no teaching of the use of these sequences to induce an immune response or for use in an immunogenic composition or therapeutic fragment. Further, Eisenberg contains no teaching or suggestion of carriers such as the polymeric carriers defined in the specification (page 48, lines 22 – 26), the vehicles (page 48, line 27), or the adjuvants (page 48, line 28 – page 48, line 20).

Reconsideration and withdrawal of this rejection is requested.

Please charge any deficiency in the fee to our deposit account number 08-3040.

Respectfully Submitted,
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